

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:06-CR-66-D  
No. 5:16-CV-611-D

JEROME MAUREASE JONES, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 )

**ORDER**

On March 30, 2016, Jerome Maurease Jones (“Jones”) moved to reduce his sentence pursuant to Johnson v. United States, 135 S. Ct. 2551 (2015) [D.E. 52]. On June 27, 2016, Jones moved pursuant to 28 U.S.C. § 2255 and Johnson to vacate, set aside, or correct his 230-month sentence [D.E. 59] and for leave to file a successive motion under section 2255 [D.E. 60]. On June 28, 2016, Jones filed a corrected motion to vacate under section 2255 [D.E. 61]. On October 18, 2016, the government moved to dismiss Jones’s motions [D.E. 67] and filed a supporting memorandum [D.E. 68]. On May 1, 2017, the court ordered the government to obtain and file Shepard-approved documents concerning the convictions described in paragraphs 7, 12, 16, and 17 of Jones’s Presentence Investigation Report [D.E. 71].

On May 11, 2017, the government responded to the court’s May 1, 2017, order [D.E. 72]. On May 11, 2017, the court ordered the government to advise the court whether it believes Jones continues to qualify as an armed career criminal [D.E. 73]. On May 18, 2017, Jones filed a motion for immediate release [D.E. 74]. On May 25, 2017, the government responded to the court’s May 11, 2017, order and advised the court that Jones no longer has three predicate convictions to qualify

as an armed career criminal [D.E. 75].

On May 26, 2017, the court denied as moot Jones's motion for reduction of sentence, granted Jones's motion for leave to file, denied the government's motion to dismiss, denied without prejudice Jones's motion for immediate release, and granted Jones's motions to vacate his 230-month sentence [D.E. 76]. The court also noted that it had sentenced Jones on November 7, 2006, and that the statutory maximum sentence without the armed career criminal enhancement is 120 months' imprisonment. Thus, the court instructed the government and Jones to advise the court not later than May 31, 2017, whether either party opposed the court entering an amended judgment sentencing Jones to 120 months' imprisonment with credit for time served and reducing Jones's supervised release term to one year.

On May 30, 2017, the government advised the court that it did not oppose the court entering an amended judgment sentencing Jones to 120 months' imprisonment with credit for time served and reducing his term of supervised release to one year [D.E. 78]. Jones did not respond to the court order.

The court hereby SENTENCES Jones to 120 months' imprisonment with credit for time served and reduces his term of supervised release to one year. All other aspects of the judgment remain the same.

SO ORDERED. This 1 day of June 2017.

  
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JAMES C. DEVER III  
Chief United States District Judge